

CENTRO DE AYUDA DE LAS CORTES DE CALIFORNIA
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INSTRUCCIONES: FORMULARIO CH-100
Petición de interdicto para prohibir acoso

Las tres páginas siguientes muestran una **Petición** que ha sido llenada, con ejemplos del tipo de información que la corte probablemente quiera ver.

Si un abogado no lo representa, escriba su nombre, dirección postal y número de teléfono en la parte de arriba de cada formulario.

Si no quiere que el acusado sepa dónde vive usted, puede usar la dirección o número de teléfono de un amigo. Asegúrese que la corte pueda ponerse en contacto con usted usando la información en este cuadro.

El condado en el que está presentando su caso. Llame al secretario del condado si no sabe la dirección.

Su nombre completo.

El nombre completo de la persona en contra de quien quiere las órdenes.

Marque esta casilla si está pidiendo órdenes que tengan vigencia inmediatamente cuando el juez firme la Orden de restricción temporal (TRO, por sus siglas en inglés). También tendrá que marcar la casilla en el punto 10 y dar la información necesaria.

Ponga una "X" en la casilla que corresponde en los puntos 1, 2, y 3. Tiene que marcar una de las casillas en cada uno de esos puntos.

El punto 4 es la parte más importante de su petición. Esta información es lo único que sabrá el juez sobre su caso, hasta el día de la audiencia. Dé los detalles de los incidentes más recientes.

Vea las instrucciones para las Órdenes prohibiendo la violencia en el hogar si no está seguro de qué documentos tiene que presentar.

Si hay más hechos de los que caben en este espacio, ponga una "X" en esta casilla y describa los hechos en una hoja de papel aparte. Adjunte la hoja a la parte de atrás de su petición, después de la página tres.

Use papel blanco del mismo tamaño que este formulario.

El secretario del condado le dará este número. Úselo en todos los formularios que presente más adelante.

Después de presentar este formulario, el secretario de la corte pondrá un sello en este cuadro, en las copias, para que todos sepan que es una copia de un documento oficial. Aquí va el sello "Endosado - Sellado".

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): Terry Doe P.O. Box 500 Anytown, California 91234		TELEPHONE NO.:
ATTORNEY FOR (Name) In Pro Per SUPERIOR COURT OF CALIFORNIA, COUNTY OF Any county STREET ADDRESS: 100 Elm Street MAILING ADDRESS: P.O. Box 109 CITY AND ZIP CODE: Anytown, California 91235 BRANCH NAME:		
PLAINTIFF: Terry Roe DEFENDANT: Pat Roe		FOR COURT USE ONLY
PETITION FOR INJUNCTION PROHIBITING HARASSMENT <input checked="" type="checkbox"/> Application for Temporary Restraining Order		
		CASE NUMBER:

(This is NOT an order)

Read the Instructions for Lawsuits to Prohibit Harassment before completing this form.

This suit is filed in this county because

1. a. defendant resides in this county
b. defendant has caused physical or emotional injury to me in this county.
c. other (specify):
2. This suit is not filed under the Domestic Violence Prevention Act, Family Law Act, or Uniform Parentage Act because
 - a. defendant and I are not married or formerly married or related by blood, marriage, or adoption, are not living together, have not lived together in the past six months, and have no minor child in common who is the subject of an action under the Uniform Parentage Act.
 - b. although plaintiff and defendant are married or related by blood, marriage, or adoption or have lived together, defendant's course of conduct has not included act of violence which resulted in physical injury to plaintiff or placed plaintiff in reasonable fear of imminent serious physical injury.
 - c. other (specify):
3. This suit is not brought under laws against unfair debt collection practices because
 - a. defendant does not claim plaintiff owes a debt;
 - b. defendant is not debt collector;
 - c. other (specify):

4. Defendant (name): Pat Roe, has committed a series of acts which seriously alarm, annoy, or harass me. (Describe in detail the most recent incidents of harassment. State what happened, the dates, and who did what to whom. Describe any injuries, including emotional distress): Defendant and I are former neighbors. Two months ago I had to move because defendant kept making threats against me and blocked my passage into my apartment. Since I've moved, defendant constantly follows me and phones me at all hours of the day and night. On November 15, 1986, defendant followed me to a restaurant where I was having dinner with a friend. Defendant kept calling me names and threatened to "get me." Defendant left before the police got there. On November 18, 19, and 20, 1986, defendant called me at work at least 15 times each day. I can't do my job because of the constant interruptions. I've had to go to the doctor for medicine to calm my nerves. I've lost weight and can't sleep at night.

(If more space is needed, attach additional pages and check this box.)

Form Approved by the
Judicial Council of California
CH-100 [Rev. January 1, 1997]

PETITION FOR INJUNCTION PROHIBITING HARASSMENT

CCP 527.6

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Dé la información correspondiente. Deje esto en blanco.

PLAINTIFF (Name): Terry Doe
DEFENDANT (Name): Pat Roe

CASE NUMBER:

(This is NOT an order)

5. I have actually suffered substantial emotional distress as a direct result of defendant's conduct described in item 4, and defendant's conduct would have caused a reasonable person to suffer substantial emotional distress.
6. Defendant's continuing course of conduct has been directed specifically against me and is knowing, willful, not constitutionally protected, and without legitimate purpose.

I REQUEST THE COURT TO MAKE THE ORDERS INDICATED BY THE CHECK MARKS IN THE BOXES BELOW.

7. RESTRAINING ORDERS To be ordered now and effective until the hearing.

Defendant, who resides at (state address if known):

and works at (state address if known):

must not alarm, annoy, or harass plaintiff (name):

and the following family and household members (names):

and specifically must

- a. not threaten, strike, or make physical contact with plaintiff
 and the following family and household members (names):
- b. not keep plaintiff under surveillance
 and the following family and household members (names):
- c. not follow plaintiff
 and the following family and household members (names):
- d. not telephone plaintiff
 and the following family and household members (names):
- e. not block plaintiff's movements in public places or thoroughfares
 and the following family and household members (names):

8. STAY-AWAY ORDERS To be ordered now and effective until the hearing.

Defendant must stay at least (specify): 150 yards away from the following persons and places (the addresses of the places are optional and you do not have to reveal them):

- a. Plaintiff
 and the following family and household members (names):
- b. Plaintiff's residence (address optional):
- c. Plaintiff's place of work (address optional): 315 Grove Street, Anytown, California
- d. Plaintiff's children's school or place of child care (address optional):
- e. Other (specify):
(address optional):

(Continued on next page)

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Ponga una "X" en las casillas que corresponden a su caso. Deje las casillas en blanco si no corresponden en su caso.

No tiene que dar direcciones específicas en el punto 8. Sin embargo, puede ser más fácil para la policía hacer cumplir sus órdenes si ellos saben que el acusado sabe de qué direcciones debe permanecer alejado.

Cuando marca estas casillas, está pidiendo que la orden tenga vigencia inmediatamente, tan pronto el juez firme la TRO. También tendrá que marcar la casilla en el punto 10 y dar la información necesaria.

Si está pidiendo que las órdenes tengan vigencia inmediatamente, tan pronto el juez firme la **TRO**, *tiene que* marcar esta casilla y dar sus motivos. Diga qué daño resultaría para usted si las órdenes no tuvieran vigencia inmediatamente.

Si pide honorarios de abogado, lleve recibos de las facturas de estos honorarios a su audiencia.

En éste espacio es dónde pide las demás órdenes que necesita. Si usa este espacio, describa los hechos y las fechas en el punto 4, en la primera página de su **Petición**, de manera que la corte tenga un motivo para dar las órdenes que usted pide aquí.

La mayoría de las cortes requieren que al acusado se le entreguen los formularios por lo menos 2 días antes de la audiencia, pero algunas pueden requerir que la entrega legal se haga mucho antes. El juez puede acortar el tiempo a 2 días antes de la audiencia. Conviene pedirle esto al juez si piensa que será difícil encontrar y entregarle los formularios al acusado.

Nota: Llene la Orden para presentar motivos justificados (**OSC**, por sus siglas en inglés) de la misma manera que su **Petición** menos en lo siguiente:

1. Deje en blanco el punto 3 en la **OSC**. El secretario del condado o el juez escribirá la fecha. Su audiencia será dentro de los 15 días después de presentar su **Petición**.
2. No firme ni feche su **OSC**.

Tiene que marcar uno de los cuadros en punto 9.

Haga una lista de todas las agencias que usted quiere que hagan cumplir su orden. La corte o le dirá al secretario que envíe copias de las órdenes a las agencias o le dirá a usted o a su abogado (si lo tiene) que las entregue en persona.

<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> PLAINTIFF (Name): Terry Doe DEFENDANT (Name): Pat Roe </div>	CASE NUMBER: _____						
<i>(This is NOT an order)</i>							
<p>9. Will granting of any of the stay-away orders in item 8 deprive defendant of access to defendant's residence or place of employment?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please explain:</p>							
<p>10. <input checked="" type="checkbox"/> I will suffer great and irreparable harm before this petition can be heard in court unless the court makes those orders requested above effective now and until the hearing. (Specify the harm and why it will occur before the hearing): If defendant isn't ordered to stop harassing me immediately, I will lose my job. My employer has threatened me with loss of my job because of the numerous phone calls defendant makes to me. I'm afraid to go anywhere because defendant keeps following me.</p>							
<p>11. <input checked="" type="checkbox"/> ATTORNEY FEES AND COSTS Defendant should be ordered to pay attorney fees and costs as follows (specify): Filing fee plus cost of service plus \$25.00 for a half hour consultation with an attorney. I will bring the bills and receipts to the hearing</p>							
<p>12. <input type="checkbox"/> OTHER ORDERS (specify other orders you request to help carry out the orders previously requested):</p>							
<p>13. I request that copies of order be given to the following law enforcement agencies:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;"><u>Law enforcement agency</u></td> <td style="width: 50%;"><u>Address</u></td> </tr> <tr> <td>Anytown Police Department</td> <td>100 Oak Street, Anytown, California 91234</td> </tr> <tr> <td>Any County Sheriff Department</td> <td>200 Jones Street, Anytown, California 91235</td> </tr> </table>		<u>Law enforcement agency</u>	<u>Address</u>	Anytown Police Department	100 Oak Street, Anytown, California 91234	Any County Sheriff Department	200 Jones Street, Anytown, California 91235
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Anytown Police Department	100 Oak Street, Anytown, California 91234						
Any County Sheriff Department	200 Jones Street, Anytown, California 91235						
<p>14. <input checked="" type="checkbox"/> I request that time for service of the Order to Show Cause and accompanying papers be shortened so that they may be served no less than (specify number): two (2) days before the time set for the hearing. I need to have the order shortening time because of the facts contained in this petition. (Add additional facts if necessary): I need this hearing as soon as possible. I have to stay with friends because I'm afraid to go home.</p>							
<p>15. <input type="checkbox"/> I have asked for restraining orders against defendant before.</p>							
<p>16. I request additional relief as may be proper.</p>							
<p>I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.</p>							
<p>Date: November 21, 1986</p>							
<p>Terry Doe (TYPE OR PRINT NAME)</p>	 Terry Doe <small>(SIGNATURE OF PLAINTIFF)</small>						
<p>17. <input type="checkbox"/> Number of pages attached.</p>							
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MUY IMPORTANTE

1. La fecha en que firma.
2. Su firma.
**NO OLVIDE HACER ESTAS DOS COSAS;
SI NO, PERDERÁ TODO SU TRABAJO**